

**63G-2-601. Rights of individuals on whom data is maintained --  
Classification statement -- Notice to provider of information.**

(1) (a) Each governmental entity shall file with the state archivist a statement explaining the purposes for which a record series that is designated as private or controlled is collected and used by that governmental entity.

(b) The statement filed under Subsection (1)(a) is a public record.

(2) (a) A governmental entity shall provide notice of the following to a person that is asked to furnish information that could be classified as a private or controlled record:

(i) the reasons the person is asked to furnish the information;

(ii) the intended uses of the information;

(iii) the consequences for refusing to provide the information; and

(iv) the classes of persons and the governmental entities that currently:

(A) share the information with the governmental entity; or

(B) receive the information from the governmental entity on a regular or contractual basis.

(b) The notice shall be:

(i) posted in a prominent place at all locations where the governmental entity collects the information; or

(ii) included as part of the documents or forms that are used by the governmental entity to collect the information.

(3) Upon request, each governmental entity shall explain to a person:

(a) the reasons the person is asked to furnish information that could be classified as a private or controlled record;

(b) the intended uses of the information referred to in Subsection (3)(a);

(c) the consequences for refusing to provide the information referred to in Subsection (3)(a); and

(d) the reasons and circumstances under which the information referred to in Subsection (3)(a) may be shared with or provided to other persons or governmental entities.

(4) A governmental entity may use private or controlled records only for those purposes:

(a) given in the statement filed with the state archivist under Subsection (1); or

(b) for which another governmental entity may use the record under Section 63G-2-206.

Renumbered and Amended by Chapter 382, 2008 General Session